GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – BC Welfare Department – Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 against Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt. B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District(now retired) -Article of Charges–Orders – Issued.

BACKWARD CLASSES WELFARE (D) DEPARTMENT

G.O.Rt.No.49 **Dated:07-03-2022.**

Read the following:

1. From the Director General, ACB, A.P., Vijayawada, Rc.No.64/DES-VGT/2017-S.17, dated:03-07-2019.
2. G.O.Ms.No.69, BCW(Vig.D) Department, dt.04.09.2019.

-:0:-

ORDER:

In pursuance of the sanction accorded by the Government vide reference 2nd read above, under Sub-Clause (i) of clause (b) of Sub-Rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 for initiating departmental proceedings against Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt.B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District (now retired), it is considered necessary to hold an inquiry against the said Sri Garnepudi Babu Rajendra Prasad, the then Kamati (now retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt.B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District (now retired) is directed to submit his written statement of defence within ten (10) days of the receipt of the order.

4. Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt.B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District (now retired) is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt.B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District (now retired) is further informed that if he does not submit his written statement of defence on or before the period specified at Para (3) above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt.B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District (now retired) is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under no circumstances Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that the said Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt.B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District (now retired) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Garnepudi Babu Rajendra Prasad, the then Kamati, Govt.B.C.Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District (now retired) "through" the Director of BC Welfare, A.P., Vijayawada.

Copy to:
The Director of BC Welfare, A.P., Vijayawada. (with a request to serve and return the dated acknowledged served copy)
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.49, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE AGAINST SRI GARNEPUDI BABU RAJENDRA PRASAD, THE THEN KAMATI, GOVT. B.C BOYS HOSTEL, PALLEPALEM(V), NIZAMPATNAM(M), GUNTUR DISTRICT (NOW RETIRED):-

While working as Kamati, Govt. B.C Boys Hostel, Pallepalem(V), Nizampatnam(M), Guntur District, Sri Garnepudi Babu Rajendra Prasad has committed the following grave misconduct in as much as:

CHARGE -1

"Sri Garnepudi Babu Rajendra Prasad, Kamati (Retired), Govt. BC Boys Hostel, Pallepalem (v), Nizampatnam Mandal. Guntur District was unauthorizedly absent on the date of surprise check".

CHARGE -2

"Sri Garnepudi Babu Rajendra Prasad, Kamati (retired), Govt. BC Boys Hostel, Pallepalem (v), Nizampatnam Mandal. Guntur District un-authorisedly allowed a private person as an assistant to the private cook in the hostel without the knowledge and permission of his superiors. This action was in clear violation of the instructions given in Memo No.101/Spl.B/2000-4 dt.17-4-2001 of Govt. of AP, General Administration Dept (Spl. B) that "No Manual or any Procedure has prescribed to engage a private person to perform certain official duties during the course of departmental activity."

CHARGE -3

"Sri Garnepudi Babu Rajendra Prasad, Kamati (retired), Govt BC Boys Hostel, Pallepalem (v), Nizampatnam Mandal. Guntur District is not residing in the head quarters".

Thus, Sri Garnepudi Babu Rajendra Prasad, S/o Rajaratnam, by his above-mentioned acts, has exhibited lack of integrity, devotion to duty and conducts unbecoming Member of State Government Service and thereby violated Rule 3(1), 3(2) and (4)(i) of A.P.C.S (conduct) Rules 1964 r/w Rule 9(2)(b) of A.P. Revised Pension Rules 1980.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.49, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE –II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI GARNEPUDI BABU RAJENDRA PRASAD, THE THEN KAMATI, GOVT. B.C BOYS HOSTEL, PALLEPALEM(V), NIZAMPATNAM(M), GUNTUR DISTRICT (NOW RETIRED:-

That Sri Garnepudi Babu Rajendra Prasad, S/o Rajaratnam, aged 59 years, joined in Government Service on 07-01-1984 as Kamati and from 31-01-2017 he is working at Government B.C. Boys Hostel, Pallepalem, Nizampatnam Mandal, Guntur district on deputation. While functioning as aforesaid capacity between 31-01-2017 to 15-07-2017 he committed irregularities. He is drawing basic pay of Rs.38,130/- in the time scale pay of Rs.15030/- – 46060/-. His date of attaining superannuation is 30-04-2018. He is here in after referred to as Government Servant.

CHARGE -1

"Sri Garnepudi Babu Rajendra Prasad, Kamati (Retired) Govt BC Boys Hostel, Pallepalem (V), Nizampatnam (M) retired was unauthorizedly absent on the date of surprise check".

FACTS AND EVIDENCE :

On credible information that the Hostel Welfare Officer, Govt. B.C. Boys Hostel, Pallepalem village, Nizampatnam Mandal, Guntur District is not maintaining Records/Registers properly and committing irregularities, a Surprise Check was conducted on the above mentioned hostel by the District Inspector, ACB, Guntur District on 15-07-2017 in between 06.00 am and 5.00 pm in the presence of two respectable mediators.

At the time of entry of the surprise check party into the hostel found two middle aged ladies and one male person were present.

Then the District Inspector examined the private persons and recorded their statements.

The statement of **Smt. Veeranki Nancharamma W/o Saibabu, age 45 years, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private cook of the above Hostel)** discloses that in BC Boys Hostel, Pallepalem village, Sri Veeranki Ramarao is working as HWO, Meer Bashar Ali and Rajendra Prasad are doing as Kamatis. Vijay Bhaskar is working as watchman. HWO is residing at Bapatla. Rajendraprasad at Battiprolu, Meer Bashar Ali at Cherukupalli. Vijay Bhaskar at Isakapalli in Repalle Town. Hostel warden used to visit Hostel once in four days and brings vegetables and Sundry Articles for cooking and hand over them to her for cooking. Meer Basha Ali and Rajendra Prasad used to visit once in every 3,4 days. Watchman Vijay Bhaskar comes in the morning and stay till evening and go away. Meer Basher Ali appointed her as private cook and she is working since 2 years and monthly Meer Basher Ali is giving Rs. 3,500/- salary. About 2 months back Rajendra Prasad appointed one Varalakshmi as helper to her and she was paid Rs. 3,500/- as salary by Rajendra Prasad. About 2 years back HWO appointed Subbarao for cleaning and providing water in the hostel for a monthly salary of RS. 1000/- all the three comes every day morning at about 6 AM and prepare food for students in the morning and evening and stay till evening and go back to their houses. Daily nearly 30 to 40 students attend everyday in the morning for breakfast and in the evening nearly 70-80 students will attend and take dinner. Neither students nor any of the employee of their hostel resides during night times in the hostel and etc.,

The Statements of **Smt Gunnam Varalakshmi W/o Adiseshu, age 60 yrs, Veerankipalem village, Advaladeevi Panchayat, Nizampatnam Mandal (Private helper to private cook)** and **Sri Veeranki Subbarao S/o Nancharaiah, age 30 yrs, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private worker in the said Hostel)** is being corroborated with the statement of Veeranki Nancharamma in all material aspects and etc., facts.

As such it is clear that the retired public servant unauthorisedly absent himself from his duty and also engaged a private persons on his behalf without any authorization from the officers.

Thus, the said Sri Garnepudi Babu Rajendra Prasad, Kamati (Retired) by his above mentioned acts, he exhibited lack of integrity, devotion to duty and violated Rule 3(1), 3(2) and (4)(i) of A.P.C.S (conduct) Rules 1964 r/w Rule 9(2)(b) of A.P.Revised Pension Rules 1980.

As the public servant retired from service he is liable for punishment under AP Revised Pension rules 1980.

CHARGE -2

"Sri Garnepudi Babu Rajendra Prasad, Kamati (Retired), Govt. BC Boys Hostel, Pallepalem (V), Nizampatnam (M) un-authorisedly allowed a private person as the private cook in the hostel without the knowledge and permission of his superiors. This action was in clear violation of the instructions given in Memo No.101/Spl.B/2000-4 dt.17-4-2001 of Govt. of AP, General Administration Dept (Spl. B) that "No Manual or any Procedure has prescribed to engage a private person to perform certain official duties during the course of departmental activity."

FACTS AND EVIDENCE :

On credible information that the Hostel Welfare Officer, Govt. B.C. Boys Hostel, Pallepalem village, Nizampatnam Mandal, Guntur District is not maintaining Records/Registers properly and committing irregularities, a Surprise Check was conducted on the above mentioned hostel by the District Inspector, ACB, Guntur District on 15-07-2017 in between 06.00 am and 5.00 pm in the presence of two respectable mediators.

At the time of entry of the surprise check party into the hostel found two middle aged ladies and one male person were present.

Then the District Inspector examined the private persons and recorded their statements.

The Statement of **Smt. Veeranki Nancharamma W/o Saibabu, age 45 years, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private cook of the above Hostel)** discloses that in BC Boys Hostel, Pallepalem village, Sri Veeranki Ramarao is working as HWO, Meer Bashar Ali and Rajendra Prasad are doing as Kamatis. Vijay Bhaskar is working as watchman. HWO is residing at Bapatla. Rajendraprasad at Battiprolu, Meer Bashar Ali at Cherukupalli. Vijay Bhaskar at Isakapalli in Repalle Town. Hostel warden used to visit Hostel once in four days and brings vegetables and Sundry Articles for cooking and hand over them to her for cooking. Meer Basha Ali and Rajendra Prasad used to visit once in every 3,4 days. Watchman Vijay Bhaskar comes in the morning and stay till evening and go away. Meer Bashar Ali appointed her as private cook and she is working since 2 years and monthly Meer Basheer Ali is giving Rs. 3,500/- salary. About 2 months back Rajendra Prasad appointed one Varalakshmi as helper to her and she was paid Rs. 3,500/- as salary by Rajendra Prasad. About 2 years back HWO appointed Subbarao for cleaning and providing water in the hostel for a monthly salary of RS. 1000/- all the three comes every day morning at about 6 AM and prepare food for students in the morning and evening and stay till evening and go back to their houses. Daily nearly 30 to 40 students attend everyday in the morning for breakfast and in the evening nearly 70-80 students will attend and take

dinner. Neither students nor any of the employee of their hostel resides during night times in the hostel and etc.,

The Statements of **Smt Gunnam Varalakshmi W/o Adiseshu, age 60 yrs, Veerankipalem village, Advaladeevi Panchayat, Nizampatnam Mandal (Private helper to private cook)** and **Sri Veeranki Subbarao S/o Nancharaiah, age 30 yrs, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private worker in the said Hostel)** is being corroborated with the statement of Veeranki Nancharamma in all material aspects and etc., facts.

As such it is clear that the retired public servant unauthorisedly engaged a private persons on his behalf without any authorization from the officers in violation of instructions issued in Memo No.101/Spl.B/2000-4 dt.17-4-2001 of Govt. of AP, General Administration Dept (Spl. B) that "No Manual or any Procedure has prescribed to engage a private person to perform certain official duties during the course of departmental activity."

Thus, the said Sri Garnepudi Babu Rajendra Prasad, Kamati (Retired) by his above mentioned acts, he exhibited lack of integrity, devotion to duty and violated Rule 3(1), 3(2) and (4)(i) of A.P.C.S (conduct) Rules 1964 r/w Rule 9(2)(b) of A.P. Revised Pension Rules 1980.

CHARGE-3

"Sri Sri Garnepudi Babu Rajendra Prasad, Kamati (Retired), Govt BC Boys Hostel, Pallepalem (V), Nizampatnam (M) is not residing in the head quarters".

FACTS AND EVIDENCE:

On credible information that the Hostel Welfare Officer, Govt. B.C. Boys Hostel, Pallepalem village, Nizampatnam Mandal, Guntur District is not maintaining Records/Registers properly and committing irregularities, a Surprise Check was conducted on the above mentioned hostel by the District Inspector, ACB, Guntur District on 15-07-2017 in between 06.00 am and 5.00 pm in the presence of two respectable mediators.

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The Statements of **Smt Gunnam Varalakshmi W/o Adiseshu, age 60 yrs, Veerankipalem village, Advaladeevi Panchayat, Nizampatnam Mandal (Private helper to private cook)** and **Sri Veeranki Subbarao S/o Nancharaiah, age 30 yrs, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private worker in the said Hostel)** is being corroborated with the statement of Veeranki Nancharamma in all material aspects and etc., facts.

As such it is clear that the retired public servant is not residing in the head quarters and residing at Bhattiprolu.

Thus, the said Sri Garnepudi Babu Rajendra Prasad, Kamati (Retired) by his above mentioned acts, he exhibited lack of integrity, devotion to duty and violated Rule 3(1), 3(2) and (4)(i) of A.P.C.S (conduct) Rules 1964 r/w Rule 9(2)(b) of A.P.Revised Pension Rules 1980.

As the public servant retired from service he is liable for punishment under AP Revised Pension rules 1980.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.49, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI GARNEPUDI BABU RAJENDRA PRASAD, THE THEN KAMATI, GOVT. B.C BOYS HOSTEL, PALLEPALEM(V), NIZAMPATNAM(M), GUNTUR DISTRICT (NOW RETIRED ARE PROPOSED TO BE SUSTAINED:

1) Statement of Smt. Veeranki Nancharamma W/o Saibabu, age 45 years, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private cook of the Hostel).

2) Statement of Smt Gunnam Varalakshmi W/o Adiseshu, age 60 yrs, Veerankipalem village, Advaladeevi Panchayat, Nizampatnam Mandal (Private helper to private cook)

3) Statement of Veeranki Subbarao S/o Nancharaiah, age 30 yrs, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private worker in the said Hostel):

4) Mediators Report (Surprise Check Proceedings) drafted on 15-07-2017 at Govt. B.C. Boys Hostel, Pallepalem Village, Nizampatnam Mandal, Guntur district.

5) If any document found necessary they will be produced at the time enquiry.

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

[Annexure to G.O.Rt.No.49, BCW(D) Dept., Dt:07.03.2022]

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI GARNEPUDI BABU RAJENDRA PRASAD, THE THEN KAMATI, GOVT. B.C BOYS HOSTEL, PALLEPALEM(V), NIZAMPATNAM(M), GUNTUR DISTRICT (NOW RETIRED ARE PROPOSED TO BE SUSTAINED:

Sl. No	Name and address of witness	Gist of the statement.
01	Smt. Veeranki Nancharamma W/o Saibabu, age 45 years, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private cook of the Hostel)	To speaks about the absence of Government servants from his duties on the date of surprise check,and not residing at the head quarters i.e. in the hostel premises and also speaks about her appointment as a private cook by Kamati etc,,. facts.
02	Smt Gunnam Varalakshmi W/o Adiseshu, age 60 yrs, Veerankipalem village, Advaladeevi Panchayat, Nizampatnam Mandal (Private helper to private cook)	To speaks about the absence of Government servants from his duties on the date of surprise check, and not residing at the head quarters i.e. in the hostel premises and also speaks about her appointment as a assistant to private cook by Kamati etc,,. facts.
03	Veeranki Subbarao S/o Nancharaiah, age 30 yrs, Veerankipalem village, Adavaladeevi Panchayat, Nizampatnam Mandal (Private worker in the said Hostel):	To speaks about the absence of Government servant from his duties on the date of surprise check,and not residing at the head quarters i.e. in the hostel premises and also speaks about his appointment as a private worker in the hostel by the Hostel Welfare Officer and etc facts.,
04	Sri Manchala John Ratnakanth Babu S/o Varadanam, age 38 yrs, Royality Inspector, O/o Deputy Director, Mines and Geology, Guntur. (Mediator-I)	He is the Mediator-I and speak about their presence during the surprise check, drafting surprise check proceedings, seized concerned registers and etc., facts.
05	Sri Patan Mastan S/o Khasim Khan, age 45 yrs, Sr.Asst, O/o Deputy Director, Mines and Geology, Guntur. (Mediator-II).	He is the Mediator-II and speak about their presence during the surprise check, drafting surprise check proceedings, seized concerned registers and etc., facts.
06	Sri Sk.T.Firoz, Formerly District Inspector, ACB, Guntur, Now working as SHO, Lalapet, Guntur Urban District.	He is the investigating officer and speaks about the conducting of surprise check in presence of Mediators, seized concerned registers. Submission of detailed report and etc., facts.

07	Sri Ch. Ravi Babu, District Inspector, ACB, Guntur.	He is the investigating officer and speaks about the preparation and filing of Draft Article Charges against the erroneous Government Servants and etc., facts.
08	If any witness found necessary they will be produced at the time enquiry.	

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER